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9	Attorneys for the United States of America	
10	UNITED STATES DISTRICT COURT	
11	NORTHERN DISTRICT OF CALIFORNIA	
12	SAN JOSE DIVISION	
13		
14	UNITED STATES OF AMERICA,	No. CR 12-00762 DLJ
15	Plaintiff,	STIPULATION AN D [PROPOSED] ORDER RESCHEDULING HEARING
16	V.	DATE AND EXCLUDING TIME UNDER THE SPEEDY TRIAL ACT
17	RAMIRO MADRIZ-HERNANDEZ,) THE STEEDT TRIAL ACT
18	Defendant.))
19))
20		
21	<u>STIPULATION</u>	
22	The United States, by and through Special Assistant United States Attorney Meredith J.	
23	Edwards, and defendant Ramiro Madriz-Hernandez, by and through Assistant Federal Public	
24	Defender Robert M. Carlin, hereby stipulate that, with the Court's approval, the status hearing	
25	currently set for Thursday, May 16, 2013, at 9:00 a.m., be vacated and rescheduled for a change	
26	of plea hearing on Thursday, May 30, 2013, at 9:00 a.m.	
27	Government counsel will be in trial on Thursday, May 16, 2013, and therefore is unable	
28	to make an appearance as currently calendared. Accordingly, the government respectfully	

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1	request that the time between Thursday, May 16, 2013 and Thursday, May 30, 2013 be excluded	
2	under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), for continuity of government	
3	counsel. Defense counsel has no objection to the continuance.	
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5		
6	Dated: May 13, 2013	
7	Dated: May 13, 2013 /s/ MEREDITH J. EDWARDS Special Assistant United States Attorney	
8		
9	Dated: May 13, 2013 /s/ ROBERT M. CARLIN	
10	Assistant Federal Public Defender	
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PROPOSED ORDER

Pursuant to the agreement and stipulation of the parties, the hereby orders that the status hearing in this case, previously scheduled for Thursday, May 16, 2013, at 9:00 a.m., be vacated and rescheduled for a change of plea hearing on Thursday, May 30, 2013, at 9:00 a.m. The Court further orders that the time between Thursday, May 16, 2013 and Thursday, May 30, 2013 is excluded under the Speedy Trial Act, 18 U.S.C. § 3161. The Court finds, pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), that the failure to grant the requested continuance would unreasonably deny the government continuity of counsel. Furthermore, the Court finds that the ends of justice served by granting the requested continuance outweigh the best interest of the public and the defendant in a speedy trial. The Court therefore concludes that this exclusion of time should be made under 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).

IT IS SO ORDERED.

DATED: Í EFÍ EFH

THE HONORABLE D. LOWELL JENSEN United States District Judge